

ASSEMBLY BILL

No. 1799

Introduced by Assembly Member Umberg
(Coauthors: Assembly Members Daucher, Huff, Saldana, Spitzer,
and Vargas)
(Coauthors: Senators Dunn and Kehoe)

January 9, 2006

An act to amend Section 13001 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1799, as introduced, Umberg. Elections: payment of expenses.

Existing law provides that all expenses authorized and necessarily incurred in the preparation for and conduct of elections are to be paid from the county treasuries.

This bill would provide that expenses incurred on or after January 1, 2006, for elections proclaimed by the Governor to fill a vacancy in the office of State Senator or Member of the Assembly, or to fill a vacancy in the office of United States Senator or Representative in Congress, are to be paid by the state. Where an election proclaimed by the Governor is consolidated with a local election, the state would pay only those additional expenses directly related to the election proclaimed by the Governor.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 13001 of the Elections Code is amended to read:

13001. (a) ~~Except as provided in subdivision (b), all~~ expenses authorized and necessarily incurred in the preparation for and conduct of elections as provided in this code shall be paid from the county treasuries, except that when an election is called by the governing body of a city the expenses shall be paid from the treasury of the city. All payments shall be made in the same manner as other county or city expenditures are made. The elections official, in providing the materials required by this division, need not utilize the services of the county or city purchasing agent.

~~(b) This section shall become operative on January 1, 2006. All expenses authorized and necessarily incurred on or after January 1, 2006, in the preparation for and conduct of elections proclaimed by the Governor to fill a vacancy in the office of Senator or Assembly Member in the Legislature, or to fill a vacancy in the office of Senator or Representative in the United States Congress, shall be paid by the state. If an election proclaimed by the Governor to fill a vacancy in an office specified by this subdivision is consolidated with a local election, only those additional expenses directly related to the election proclaimed by the Governor shall be paid by the state.~~

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to relieve counties of responsibility for expenses incurred in 2006 for the preparation for and conduct of elections proclaimed by the Governor for specified purposes, it is necessary that this bill go into immediate effect.